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C O N F I D E N T I A L LA PAZ 002245

SIPDIS

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TAGS: PGOV PREL PTER PINR KDEM BL

SUBJECT: OPPOSITION GEARS UP LAST RESORT "NO" CAMPAIGN

REF: LA PAZ 2202

Classified By: EcoPol Chief Mike Hammer for reasons 1.4 (b)(d)

**¶1.** (C) Summary: Opposition strategist Javier Flores told PolOff October 15 that ongoing congressional negotiations to change the draft constitution are a "show." He asserted that both sides had agreed to engage in another round of negotiations for tactical reasons, but that both were turning their attention to campaigns for the "inevitable" constitutional referendum in 2009. He added that the Morales Administration is working overtime to gain opposition votes in Congress to convoke the referendum through a combination of bribes and threats. If successful, such a strategy would avoid the bad press of a planned blockade of opposition members of Congress expected early next week. Flores said the government is developing three lists to push their agenda for a referendum and subsequent national elections: a black list for prosecution, a pressure list to stymie opposition campaigns, and a potential allies list to buy off possible opposition turncoats. End Summary.

Dialogue "Deception:" No Change of Heart for Evo

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**¶2.** (C) According to opposition strategist Javier Flores (strictly protect), talks between the ruling Movement Toward Socialism (MAS) party and the opposition in Congress to agree on changes to a draft constitution are "pure show" on both sides. He said the hopeful discourse of organizers is a deception as both sides simply decided it was in their best interests to postpone a planned MAS organized opposition blockade of Congress. Some members of the opposition decided any attempt at dialogue would at least postpone the "inevitable" congressional blockade and subsequent vote to convoke a referendum on the government's draft constitution. "The thinking is to postpone the referendum as long as possible to give time for the economy to fall, which will hurt the government campaign." Flores said the government decided to postpone the vote because they did not want a public spectacle before the Unasur parliamentary meeting October 17-18 in Cochabamba (Note: Chilean President Michelle Bachelet is opening the session with President Morales. End Note.) "Do not be fooled with Evo's flowery talk of dialogue, he did not fall in love last weekend and suddenly decide to give reconciliation (with the opposition) a try."

MAS Trying to "Cement" a Deal with UN

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¶13. (C) Flores also said the National Unity (UN) party is publicly backing the Congress talks at the behest of UN leader Samuel Doria Medina, despite widespread private pessimism the talks will result in changes to the draft constitution. Flores said Doria Medina is being blackmailed to play along with the MAS "show" based on threats of nationalizing his cement concerns. Flores claimed, behind the public talks about the constitution, a private negotiation is going on to spare Doria Medina's business interests for UN support of a constitutional referendum. Separately, Flores alleged the MAS was trying to buy off opposition and especially UN party votes, which we have also heard from other contacts. With UN support, Flores postulated the MAS would not need to blockade the opposition from Congress to pass enabling legislation for a referendum, the MAS's plan b, avoiding negative press and challenges to its democratic credentials. Ultimately, Flores said he could not rule out such an outcome, but said he thought there was too much opposition resistance to a MAS pay-off for the strategy to work. (Note: We may see if this strategy works October 17, as the Congress hastily announced a 1500 session, postponing a planned October 16 session. End Note.)

"No" Campaign to Kick Off with Congressional Siege

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¶14. (C) According to Flores, the opposition plans to use the "inevitable" encirclement of the Bolivian Congress as its first "publicity spot." Opposition congressmen (including most MNR and UN representatives) plan to barricade themselves in the Congress before it is surrounded by Evo supporters. Congressmen plan to have international press on speed dial to conduct interviews from "the scene of the crime." Flores said the opposition would also try to funnel in members of the international press, international organizations, and foreign missions prior to the siege so that "the international community can bear witness to this attack." Flores admitted a surprise encirclement and vote prior to the expected arrival of thousands of pro-Morales supporters October 20 would weaken the "Trojan horse" plan's effectiveness, but said starting this weekend opposition legislators planned to rotate into the Congress building in shifts to ensure some of them would be there.

Rada's List

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¶15. (C) Although there are a number of versions and rumors concerning the government's black list, Flores asserted there is "no such thing" as an authoritative version, as it is constantly changing. He asserted the version advanced by the Human Rights Foundation was compiled from a variety of correspondence from Bolivians on the list, not directly from a government source. The list he and Senator Roger Pinto obtained from a source on the prosecution team assembling cases for the list included himself and Pando opposition leaders like Pinto, with Santa Cruz Civic Committee President Branko Marinkovic "at the top of the list." Flores said the nearly month-old list he obtained included about 80 percent of Podemos and MNR party congressmen and three UN representatives, including congressional negotiation leader Peter Maldonado (reftel). Flores speculated the MAS was also using immunity from prosecution as bait to pressure votes in favor of a constitutional referendum. Flores sketched out a detailed organization chart assigning responsibilities for the list, placing Government Minister Rada in overall charge of the project, with Defense Minister Walker San Miguel heading the legal team (including Supreme Court contacts) and Presidency Minister Juan Ramon Quintana providing names and direction.

Pressure List: "Yes" Campaign's Fear Factor

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¶ 6. (C) In addition to the government's "black list," Flores alleged the government has a "pressure list" and a "list of potential allies" to ensure a successful campaign for the constitutional referendum and subsequent general elections. The "allies list" targets potential opposition turncoats with bribes and power. The "pressure list" targets businessmen and political leaders that can be "intimidated or exhorted into silence."

¶ 7. (C) Flores provided the example of prominent pro-opposition businessman Ernesto "Tito" Asbun. He claimed the government started the pressure by targeting him for extradition to face charges associated with the failure of his airline (LAB). (Note: Although Flores implied the government had a hand in LAB's downfall, we cannot verify that LAB's demise was caused by anything beyond poor management. End Note). According to Flores, the government is also working on stripping him of his TV network and building a case to attack his political connections in Cochabamba, all to "silence criticism."

¶ 8. (C) According to Flores, government lawyers under San Miguel are working feverishly to construct cases to nationalize key opponents' assets (such as Doria Medina's cement company) and/or charge them with political corruption (as they did against former La Paz Prefect Jose Luis Paredes). He claimed the government didn't need to actually follow through on the threats, nor would they have the resources to effectively pursue multiple cases, but that the threats alone would force opposition leaders from taking an active role in the referendum and thus muzzle the no campaign.

#### Opposition Out of Options and Bracing for Referendum

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¶ 9. (C) Flores reported on his recent 20-day lobbying trip to the United States, where he claimed to have met with Rep. Dennis Hastert (R-Illinois), Rep. Illeana Ros-Lehtinen (R-Florida), various congressional staffers, NGOs, think tanks, and Greenberg Quinlan Rosner Research. Greenberg has been contracted to head the opposition's "no" campaign strategy and "has united the opposition with a single strategy." Flores said several Greenberg video teleconferences he organized with opposition leaders during early October were "critical" to convincing regional leaders to "accept the fact that we are going to have a (constitutional) referendum and moving forward with a campaign." He added that "Greenberg has more success convincing hotheads like (Santa Cruz Prefect Ruben) Costas to accept a reasonable, long-term strategy than I do. Everyone listens to Greenberg."

#### Criticism of Prefect's September Standoff

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¶ 10. (C) Flores said Greenberg was critical of resistance tactics in the Media Luna in September as a "losing strategy that exhausts (the opposition) and only strengthens Evo." Some regional leaders like Costas "still want to consider the path of resistance," but Flores commented that "they tried this and have proven that they cannot sustain it. It will very difficult for them to play this card again." He berated opposition department prefects (state governors) for launching a resistance strategy "in the first place," but added that once committed to "confrontation," they failed to follow through when violence escalated. "If you are going to try confrontation, you have to go all the way," which Flores asserted meant blowing up gas lines and securing territory, a conviction he claimed was shared and endorsed by Marinkovic in September. Flores was also critical that prefects failed to make the "illegal kidnapping" of fellow prefect Leopoldo Fernandez in September an issue during negotiations with the Morales Administration, allowing the government to "make this a precedent to arrest opposition leaders. ... The Media Luna has proven they cannot conduct politics."

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¶11. (C) Flores credited Marinkovic for unifying desperate factions in Santa Cruz, including prefect Ruben Costas, under a common strategy for the no campaign. He said having steered the Santa Cruz opposition "in the right direction," Marinkovic has left Bolivia and will not return until he feels confident he will not be arrested. (Note: Marinkovic is currently on a tour of the United States, Brazil, Costa Rica, Argentina, Paraguay, and Uruguay. Marinkovic denied he was "escaping" Bolivia in public comments October 16 from New York, where he plans to visit the NGO Human Rights Foundation and address an October 20 United Nations hearing on the status of human rights in Bolivia. End Note.) Flores added that four Tarija Department opposition leaders on Rada's black list, including the Civic Committee President, are in hiding attempting to negotiate asylum with unnamed European countries.

Comment  
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¶12. (C) We find Flores' characterization of poor political judgment on the part of opposition prefects audaciously hypocritical. National Podemos opposition leaders (his allies) miscalculated disastrously when they voted to approve a recall referendum on August 10 which greatly strengthened Evo. Flores' biting criticism reveals continuing divisions between national and regional opposition leadership and undermines his assertion that "everyone" is on board for the opposition's "no" campaign. Although the conventional wisdom supports Flores' prediction that the MAS will pass enabling legislation for the constitutional referendum October 20 or 21, a Sunday October 19 surprise vote would advantage the MAS most: after the Unasur meeting, but before the opposition expects it. The notion that the timing of a congressional encirclement depends on the arrival of the large march (currently 20,000 and growing) making its way to La Paz is folly: it would only require a few hundred easily and rapidly deployed radicals from the Morales stronghold of El Alto to seal congress and steal the vote. End Comment.

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